

11.14

Issue In Aggravated Battery--Great Bodily Harm-As Of July 1, 2011

To sustain the charge of aggravated battery, the State must prove the following proposition:

That the defendant [(intentionally) (knowingly)] caused [(great bodily harm) (permanent disability) (permanent disfigurement)] to _____.

If you find from your consideration of all the evidence that this proposition has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that this proposition has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

Instruction and Committee Note Approved April 26, 2016

The Aggravated Battery statute was amended effective July 1, 2001. Instructions that reflect this amendment are found at 11.107 through 11.120. For the charge of "Aggravated Battery" which was committed on or after July 1, 2011, use the appropriate Illinois Pattern Jury Instruction in that series. Do not use this Instruction for the charge of "Aggravated Battery" which was committed on or after July 1, 2011.

720 ILCS 5/12-4(a) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §12-4(a) (1991)).

Give Instruction 11.13.

Whenever the jury is to be instructed on an affirmative defense, it is necessary to use the phrase "without legal justification" in Instruction 11.13 (see Committee Note to Instruction 11.13), and this instruction must be combined with the appropriate instructions from Chapter 24-25.00. Since the additional proposition or propositions that will thereby be included will require the jury to find that the defendant acted without legal justification, the Committee has concluded that the phrase "without legal justification" need not be used in this issue's instruction.

Insert in the blank the name of the victim.

Use applicable bracketed material.

When accountability is an issue, ordinarily insert the phrase "or one for whose conduct he is legally responsible" after the word "defendant" in each proposition. See Instruction 5.03.